

5 June 2023

Case Reference IC-234774-F8J7

Your request

You asked us for the following:

"all Op Linden minutes from October 2021 to the present."

Where your questions satisfy the criteria of a valid information request, we have considered your request under the Freedom of Information Act 2000 (FOIA).

Our response

We can confirm that we hold information relating to the minutes of meetings regarding Operation Linden.

We do therefore hold information which falls within the scope of your request, however, we are withholding it as it will be published in due course on our website. Information intended for future publication is exempt under section 22 of the FOIA, and this is explained in further detail below.

For clarity, we are currently reviewing the intended publication of the minutes of meetings held since the last publication in October 2021. The minutes relate to meetings held in February 2022, June 2022, and February 2023 (no meeting took place between June 2022 and February 2023). Once these have been reviewed, they will be published in the same way and location as the previously published minutes.

Section 22 of the FOIA

The information has been withheld under section 22 of the FOIA as this is information intended for future publication. As you will be aware from the information [on our website](#), we proactively publish Operation Linden minutes.

Section 22 of the Act states that information is exempt from disclosure in response to an information request if:

"(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

*(b) the information was already held with a view to such publication at the time when the request for information was made, and
(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a)."*

The exemption at section 22 is qualified by the public interest test, meaning that the information should be disclosed if the public interest in the maintenance of the exemption does not outweigh the public interest in disclosure.

In this case, the public interest factors in favour of disclosing the information are:

- to promote openness by providing information about our regulation of the legislation we oversee.

The factors in favour of maintaining the exemption are:

- The ICO has a history of publishing this information on a regular basis and has committed to publishing the requested information in the near future.
- To prepare this information for disclosure earlier than our intended date of publication in response to individual requests we receive would not be an efficient use of resources when we intend to publish this information in due course.
- Earlier disclosure is not necessary to satisfy any pressing public interest at the present time.

Having considered the public interest arguments, we consider it reasonable in the circumstances to withhold this information under section 22 of the FOIA.

This concludes our response.

We hope you find this information helpful.